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June 5, 2006

**Hand Delivered** 

Mr. Charles L. A. Terreni Chief Clerk and Administrator Public Service Commission of SC 100 Executive Center, Suite 100 Columbia, South Carolina 29210

2006-150-E

Re:

Joint Petition of Palmetto Electric Cooperative, Inc. and South Carolina Electric & Gas Company for Reassignment of Territory

in Beaufort County

Dear Mr. Terreni:

I enclose herewith for filing the original and ten copies of a Joint Petition for Reassignment of Territory with regard to the above matter. I am enclosing an additional two copies to be date-stamped and returned with our courier, one of which will be provided to Palmetto Electric Cooperative, Inc. ("Palmetto").

Upon receipt of the date-stamped copies, I will serve Christopher Koon, attorney for Palmetto Electric Cooperative, Inc. with a copy.

Please contact me if you have any questions.

With kind regards,

Patricia Banks Morrison

PBM/kms Attachment

Christopher Koon, Esq. cc:

Dan F. Arnett, ORS

## BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA DOCKET NO. 2006-150-E

IN RE:	)	
	)	
Joint Petition of Palmetto Electric	)	JOINT PETITION
Cooperative, Inc. and South Carolina	)	FOR REASSIGNMENT
Electric & Gas Company for	)	OF TERRITORY
Reassignment of Territory in	)	

**Beaufort County** 

Palmetto Electric Cooperative, Inc. ("Palmetto") and South Carolina Electric & Gas Company ("SCE&G") hereby jointly petition the South Carolina Public Service Commission (the "Commission") for reassignment of territory in Beaufort County. This Joint Petition is made pursuant to The Territorial Assignment Act, S.C. Code Ann. § 58-27-610, et seq. (1976).

In support of this Joint Petition, Petitioners allege and show unto the Commission the following:

- 1. SCE&G is a public utility within the jurisdiction of this Commission and is an electric supplier as defined by the Territorial Assignment Act. S.C. Code Ann. § 58-27-610 (1) (1976).
- 2. Palmetto is subject to the limited jurisdiction of the Commission as an electric supplier pursuant to the Territorial Assignment Act. S.C. Code Ann. § 58-27-610 (1) (1976).
- 3. Upon agreement of the affected electric suppliers, the Commission may reassign portions of previously assigned service areas. S.C. Code Ann. § 58-27-650 (1976).
- 4. SCE&G and Palmetto have agreed to the reassignment of territory of 482 lots/parcels of land within Beaufort County. Exhibit A, which is attached to this Petition and made a part of it, is a map of a portion of Beaufort County with areas shown in light green having been previously assigned by the Commission or franchised to Palmetto and areas shown in light red having been previously assigned or franchised to SCE&G. The areas on Exhibit A colored dark green are those that Petitioners are requesting be reassigned to Palmetto. <sup>1</sup>

<sup>&</sup>lt;sup>1</sup> In exchange for this territory being reassigned to Palmetto, Palmetto has agreed to release its franchised service rights within the Town of Blufton. As a result, SCE&G will provide service to the areas colored dark red on Exhibit A, approximately 277 acres located in Lawton Station subdivision.

- 5. Palmetto and SCE&G request that the Commission reassign to Palmetto 2 tracts of land in Beaufort County, which lots/parcels of land are now assigned to SCE&G, totaling approximately 212 acres in the Sun City Hilton Head subdivision of Beaufort County; these tracts are shown in dark green on Exhibit A which is attached to this Petition; and
- 6. Petitioners allege that no current customers of Palmetto or SCE&G will be affected or inconvenienced in any way by the changes proposed by the Petitioners. SCE&G does not have sufficient facilities in the area being reassigned to Palmetto to adequately serve the homes being built there. In addition, all of the other Sun City properties are currently located in territory assigned to Palmetto.
- 7. Petitioners allege that no facilities or territories of any other electric suppliers are affected by the changes Petitioners propose herein.
- 8. Petitioners allege that each is fully capable of furnishing adequate and dependable electric service in the areas that each now serves and would serve upon the Commission's granting of this Petition.
- 9. Petitioners have considered the public convenience and necessity in their negotiations for reassignment of these parcels of land and assert that the Commission's approval of this Petition will be in the public interest.
- 10. Petitioners request that the Commission treat this Petition as also being an affidavit and to determine this matter solely on the basis of this filing, unless there are protests or petitions to intervene, and in that event to set this matter for hearing and determination at the earliest possible date.

WHEREFORE, South Carolina Electric & Gas Company and Palmetto Electric Cooperative, Inc. having jointly made application to and petitioned the Commission, pray that the Commission issue its order:

- 1. Accepting this Petition as filed; and
- 2. Reassigning from SCE&G 212 acres of land in Beaufort County to Palmetto as such reassignments are shown on Exhibit A; and
- 3. Amending the territorial assignment map for Beaufort County to reflect the reassignments as shown on Exhibit A.

[signature page to follow]

Respectfully Submitted,

Catherine D. Taylor, Esq.
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Attorney for Petitioner Palmetto Electric Cooperative, Inc.

June <u>5</u>, 2006